

APR-18-2014 11:09

IRS LANCASTER

207 4378

P.002

COMMONWEALTH OF PENNSYLVANIA)

) SS

COUNTY OF LANCASTER)

CERTIFICATE OF SERVICE

I, Dorothy A. Recarde, do hereby solemnly declare that on April 17, 2014, I did cause to be delivered by Certified Mail an ADDENDUM and CERTIFICATE OF NON-RESPONSE and NOTICE OF DEFAULT package to the parties and locations listed below:

To: Zachary L. McNichol #08-57282
c/o Internal Revenue Service
P.O. Box 10128
Lancaster, PA 17605

Cert No: 7012 1010 0002 0555 9585

To: Fredrick P. Henrich
c/o Coatesville Savings Bank
185 E. Lincoln Highway
Coatesville, PA 19320

Cert No: 7012 1010 0002 0555 9592

INTERNAL REVENUE SERVICE
RECEIVED

APR 18 2014

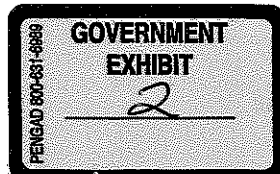
PHILADELPHIA TERR. GROUP 11
EXAM CENTRAL AREA
SB/SE COMPLIANCE

Dorothy A. Recarde, Declarant

I certify under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing paragraphs are true and correct.

Kimberly A. Bandy
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Kimberly A. Bandy, Notary Public
Bart Twp., Lancaster County
My Commission Expires July 18, 2016
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



APR-18-2014 11:10

IRS LANCASTER

7 207 4378 P.003

Prepared by and after recording return to:)

)
 Dorothy A. Recarde)
 277 W. Shady Road)
 Kirkwood, PA 17536)

---Above This Line Reserved for Official Use Only---

A Security (15 USC)
 A USSEC Tracer Flag
 Not a point of law

ADDENDUM

This Affidavit is presented as an Addendum to a Commercial Lien filed March 31, 2014, recorded as Case # 2014-02694-ML. The following Statements of Fact are to be included with the categories of "Allegations", "Ledgering", and "Surety" as follows:

Allegations:

22. Lien Debtor(s) did execute a third levy of Lien Claimant's corporate checking account on April 11, 2014 unlawfully holding/removing the amount of \$ 7,317.01 in a conversion of property.

Ledgering:

Count 3: Levy execution 4/11/2014 Funds held/removal \$ 5,000,000. Damages

Surety: Sentence 1

"There are three recorded violations of law as ledgered and not rebutted by any Lien Debtor(s) charged at Five Million (\$5,000,000) per violation for a total value of this bill as Fifteen Million Dollars (\$15,000,000) to be paid in Functional Currency of the United States."

I, Dorothy A. Recarde, certify on my own full commercial liability that I have read the above Affidavit Addendum and do know its contents to be true, correct, and complete, and not misleading, the whole truth to the best of my private first hand knowledge and understanding. The authority given me by the duly-signed one-dollar postage stamp affixed to this instrument is hereby stated for the court of record to include all documents previously filed as Case/Docket # 2014-02694-ML. To the best of my knowledge I do believe that the above described act has been committed contrary to law.

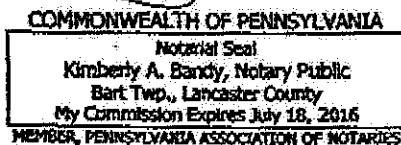
Dorothy A. Recarde
 Dorothy A. Recarde, President - Lien Claimant

JURAT

Sworn and subscribed before me, *Kimberly A. Bondy*, a Notary Public, this 14 day of April, 2014, to be the person with satisfactory evidence of her identity and who, by her authorized signature, executes this instrument.

Kimberly A. Bondy
 Notary Public

Seal



APR-18-2014 11:10

IRS LANCASTER

207 4378 P.004

NOTICE OF FAULT AND OPPORTUNITY TO CURE

Parties: Dorothy A. Recarde, President – Lien Claimant
 Summerbeam Woodworking, Inc.
 277 W. Shady Road, P.O. Box 134
 Kirkwood, PA 17536

Zachary L. McNichol, Agent #08-57282 – Lien Debtor
 130 Mt. Airy Road
 Coatesville, PA 19320

Fredrick P. Henrich, President – Lien Debtor Bank
 c/o Coatesville Savings Bank
 185 E. Lincoln Highway
 Coatesville, PA 19320

Employee(s) responsible for executing levies – Lien Debtor Bank Employees
 John F. McKenna, Legal Counsel – Lien Debtor Bank Agent
 c/o Coatesville Savings Bank
 185 E. Lincoln Highway
 Coatesville, PA 19320

Commercial Lien filed at the Chester County Justice Center, Prothonotary Office, West Chester, Pennsylvania. Record No: 2014-02694-ML

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)

) SS

VERIFIED DECLARATION

COUNTY OF LANCASTER)

Declarant, Dorothy A. Recarde, on her commercial Oath with unlimited liability, proceeding in good faith, being of sound mind states: the facts contained herein are true, correct, and complete and not misleading to the best of Declarant's private first hand knowledge and understanding under penalty of commercial law.

Dorothy A. Recarde
 Dorothy A. Recarde

JURAT

Subscribed before me, Kimberly A. Bandy, a Notary Public, this 3rd day of April, 2014, to be the person with satisfactory evidence of her identity and who, by her authorized signature, executes this instrument.

Kimberly A. Bandy
 Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Kimberly A. Bandy, Notary Public
 Bart Twp., Lancaster County
 My Commission Expires July 18, 2016

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

APR-18-2014 11:11

IRS LANCASTER

7 207 4378 P.005

STATEMENT OF FACTS

1. Lien Debtor(s) executed an IRS levy on Lien Claimant's corporate accounts January 29, 2014.
2. Lien Debtor was delivered on February 12, 2014, per USPS RR#70131090000048241819, a Notice and Demand for Verified Assessment, Affidavit by Verified Declaration, and Notice of Cease & Desist to provide evidence of levy validity.
3. Lien Debtor Bank was delivered on February 7, 2014, per USPS RR#70121010000205559103, the Notice and Demand for Restoration of Accounts and also a copy of the Notice of Demand for Verified Assessment, Affidavit and Cease & Desist Notice whose original was sent to the Internal Revenue, the Internal Revenue Service, and Lien Debtor.
4. Lien Debtor Bank sent a letter dated February 10, received February 19, 2014, stating that the bank would not restore funds unless notified by IRS. No other matter was mentioned.
5. Lien Debtor(s) received an Affidavit by Verified Declaration on February 25, 2014 per USPS RR #70121010000205559127 & 9158, and a Notice and Demand; a second opportunity to rebut these statements or to effect remedy.
6. Lien Debtor(s) executed a second levy withdrawal on Lien Claimant's accounts March 3, 2014.
7. Lien Debtor Bank received a fax from me on March 4, 2014, formally repeating a request for names of the individual employee(s) responsible for executing levies. No reply was returned.
8. Lien Debtor(s) received on March 7/10, 2014 per USPS RR#70121010000205559219 & 9226 a Commercial Affidavit and a Demand for Restoration of Funds - Notice of Intent to file a Commercial Lien; a third opportunity to rebut and/or remedy by March 10, 2014.
9. As an operation of law Lien Debtor(s) by dishonor of the Affidavits and Notice and Demands have created a Fault. No rebuttals, point by point, or evidence of remedy have been received by Lien Claimant via certified mail by any specified date, up to the present, by any of the parties.

OPPORTUNITY TO CURE

In the event that Lien Debtor(s) failure to take the remedy offered in the Affidavits was an oversight, mistake, or otherwise unintentional, Dorothy A. Recarde/Lien Claimant, grants Lien Debtor(s) three (3) days, exclusive of the day of receipt, to cure the fault and effect the remedy.

Failure to cure will constitute, as an operation of law, admission to the facts stated.

Response by Lien Debtor(s) of record must be served on Dorothy Recarde/Lien Claimant exactly as provided:

Dorothy A. Recarde
c/o K. Bandy, Notary Public
771 Noble Road
Christiana PA 17509

Dorothy A. Recarde/Lien Claimant awaits Lien Debtor(s) timely response.

Given under my hand and seal this 3rd day of April, 2014.

By Dorothy A. Recarde

Dorothy A. Recarde/Lien Claimant

APR-18-2014 11:11

IRS LANCASTER

7 207 4378 P.006

CERTIFICATE OF SERVICE

I, K. Bandy, Notary Public, do hereby solemnly declare that on April 3, 2014, I did cause to be delivered by Certified Mail a NOTICE OF FAULT AND OPPORTUNITY TO CURE package to the parties and locations listed below:

To: Zachary L. McNichol
c/o Internal Revenue Service
P.O. Box 10128
Lancaster, PA 17605

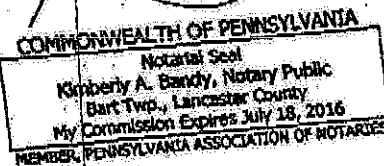
Cert No: 7012 1010 0002 0555 9202

To: Fredrich P. Henrich
c/o Coatesville Savings Bank
185 E. Lincoln Highway
Coatesville, PA 19320

Cert No: 7012 1010 0002 0555 9424

I certify under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing paragraphs are true and correct.

Notary Public



APR-18-2014 11:11

IRS LANCASTER

207 4378

P.007

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Zachary L. McNichol
c/o Internal Revenue Service
P.O. Box 10128
Lancaster PA 17605

2. Article Number

(Transfer from service label)

7012 1010 0002 0555 7202

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Brian P. Luthke*☒ Agent☐ Addressee

B. Received by (Printed Name)

Brian P. Luthke

C. Date of Delivery

4/4/2014

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fredrick P. Henrich
c/o Coatesville Savings BK
185 E. Lincoln Hwy
Coatesville PA 19320

2. Article Number

(Transfer from service label)

7012 1010 0002 0555 7424

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Andrew Manuelli*☐ Agent☐ Addressee

B. Received by (Printed Name)

Andrew Manuelli

C. Date of Delivery

4-4

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

APR-18-2014 11:12

IRS LANCASTER

7 207 4378 P.008

Dorothy A. Recarde
277 W. Shady Road
Kirkwood PA 17536

A Security (15 USC)
A USSEC Tracer Flag
Not a point of law

COMMONWEALTH OF PENNSYLVANIA)

) SS

Docket # 2014-02694-ML

COUNTY OF LANCASTER)

CERTIFICATE OF NON-RESPONSE -- NOTICE OF DEFAULT

I, Dorothy A. Recarde - Lien Claimant, do hereby declare that no appropriate written response by regular or certified mail has been received by me upon my demand for verification of facts and rebuttal in this instant matter of the Commercial Lien filed March 31, 2014 as Case/Docket # 2014-02694-ML from any of the Parties noticed.

I, Dorothy A. Recarde - Lien Claimant, do also declare that no written response was received by me upon the service of the Notice of Fault and Opportunity to Cure documents submitted to Lien Debtors(s) via Certified Mail Return Receipt on April 3, 2014 by the notary, received April 4, 2014 by the Parties.

I, Kimberly A. Bandy - Notary Public, do declare that no written response was received by me, on Dorothy A. Recarde's behalf, upon my service of the Notice of Fault and Opportunity to Cure documents, sent Certified Mail Return Receipt on April 3, 2014, within the three (3) days time specified in said documents.

Dorothy A. Recarde Lien Claimant

Kimberly A. Bandy Notary Public

VERIFICATION

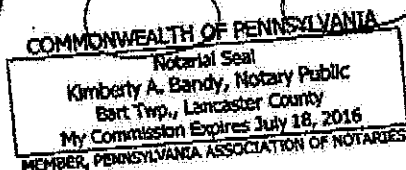
Declarant, Dorothy A. Recarde, on her commercial oath with unlimited liability, proceeding in good faith, being of sound mind states: the facts contained herein are true, correct, complete and not misleading to the best of her of private first-hand knowledge and understanding, under penalty of international commercial law.

Dorothy A. Recarde Declarant

JURAT

Declared and subscribed before me, Kimberly A. Bandy, a Notary Public, this 15 day of April, 2014.

Kimberly A. Bandy Notary Public



APR-18-2014 11:12

IRS LANCASTER

7 207 4378 P.009

*A Security (15 USC)
A USSEC Tracer Flag
Not a point of law*

NOTICE OF DEFAULT**Parties:**

Dorothy A. Recarde, Lien Claimant
Summerbeam Woodworking, Inc.
277 W. Shady Road
Kirkwood PA 17536

Zachary L. McNichol - #08-57282, Lien Debtor
130 Mt. Airy Road
Coatesville, PA 19320

Frederick P. Henrich - Other Parties: Lien Debtor Bank
c/o Coatesville Savings Bank
185 E. Lincoln Highway
Coatesville, PA 19320

Employee(s), Levy Processing - Lien Debtor Employees (John Does)
John F. McKenna, Legal Counsel - Lien Debtor Agent
c/o Coatesville Savings Bank
185 E. Lincoln Highway
Coatesville, PA 19320

Commercial Lien/Affidavit of Obligation filed at Chester County Prothonotary Office, West Chester, Pennsylvania, Case/Docket # 2014-02694-ML on March 31, 2014.

STATEMENT OF FACTS

1. On or about April 4, 2014 Zachary L. McNichol/Lien Debtor and Frederick P. Henrich/Lien Debtor Bank and other parties received service of Notice of Fault and Opportunity to Cure documents.
2. None of the Lien Debtor(s) as of the Fourteenth day of April, 2014 have responded to the Notice of Fault and Opportunity to Cure nor have any of said Debtors effected the remedy.
3. Zachary L. McNichol/Lien Debtor and Frederick P. Henrich and other parties are in default.

By the terms and conditions of the preceding Commercial Lien and the Notice of Fault you have been under obligation to timely and in good faith respond or make proper answer by Sworn Counter Affidavit with proof of your claim. Your failures to do so are a dishonor to the court and place you at default.

By your default, you are deemed to be in bad faith, violation of public trust, bond, and or duty to do that which is right, that you have instantler waived, and yielded up any claim to your original claim.

This matter is *stare decisis* and *res judicata* and lien debtors are in estoppels by their failure to respond.

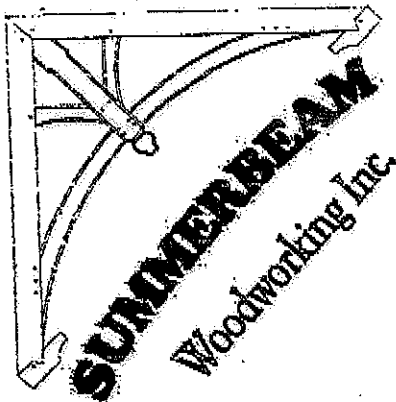
Given under my hand this 15th day of April, 2014.

By: Dorothy A. Recarde Lien Claimant

APR-18-2014 11:13

IRS LANCASTER

7 207 4378 P.010



277 West Shady Road
Kirkwood, PA 17536
(717) 529-6063
(717) 529-4015 fax

www.summerbeam.com
info@summerbeam.com

Custom Timber Frame
Homes •
Barns •
Additions •
Design & Engineering •
Millwork •
Timber Sales •

April 14, 2014

Zachary L. McNichol, #08-57282
Internal Revenue Service
PO Box 10128
Lancaster, PA 17605

RE: IRS Brochure

Dear Mr. McNichol,

The black & white photocopies of the IRS Corporate Brochure, "Why Do I Have To Pay Taxes?" that you sent me by regular mail and certified mail, received April 11, 2014, do not conform to a rebuttal in

"...DECLARATION AFFIDAVIT FORM within 30 days from receipt hereof, providing Me with your counter Declaration Affidavit, proving with specificity and particularity, point by point, by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts and law conclusions or presumptions,..."

per NOTICE Document, para 5, served February 6, 2014; NOTICE AND DEMAND document, para 3, served February 24, 2014; and DEMAND AND NOTICE, para 3, served March 4, 2014.

This brochure does not contain any reference or laws pertaining to Title 27 CFR Part 70, the Code established to handle Excise Tax on certain types of profit and especially those businesses involved in Alcohol, Tobacco, and Firearms/Explosives, along with other Excise Taxes under Subtitle E. The authority to Levy is only applicable in the matter of Excise Taxes and on the property of the government employees described in Title 26 6331(a).

Without a Sworn Counter Affidavit, under penalty of perjury, to rebut those charges detailed in my three previous affidavits served to you, I hold the levy actions taken against me as a violation of law.

Sincerely,

Dorothy A. Recarde
President

APR-18-2014 11:13

IRS LANCASTER

7 207 4378 P.011



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, DC 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

Date: 04/09/2014

DOROTHY RECARDE
277 W SHADY RD
KIRKWOOD, PA 17536-9603776

If you have any questions or need more information, please contact me at the address or the telephone number listed below:

Internal Revenue Service
1720 HEMPSTEAD RD
P O BOX 10128
LANCASTER, PA 17605

Phone#: (717)207-4346
Fax#: (717)207-4378

Sincerely,

ZACHARY L. MCNICHOL
REVENUE OFFICER
Employee ID#: 1000857282



WHY DO I HAVE TO PAY TAXES?

Department of the Treasury

*What does the IRS do to
address willful noncompliance
with U.S. tax laws?*

1. Encourage taxpayers to self-report on their returns and comply with their tax obligations.
2. Vigorously apply both civil and criminal sanctions, including prosecution and prison sentences, against those who persist in violating the tax laws.

Report individuals or companies not complying with the tax laws to the IRS. For instructions, visit www.irs.gov, and click the "Contact the IRS" link at the top. Then select "How Do You Report Suspected Tax Fraud Activity?"

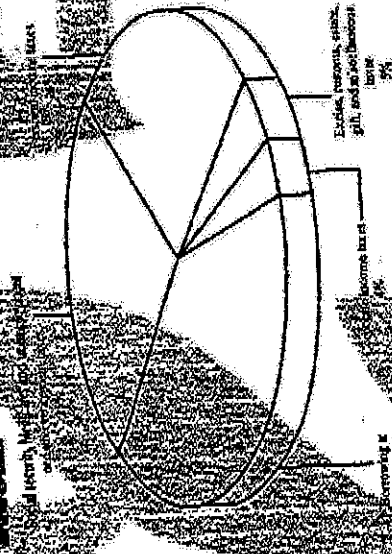
Publication 2105 (Rev. 9-2011) Catalog Number 223671N
Department of the Treasury Internal Revenue Service
www.irs.gov

TAXES BENEFIT MANY

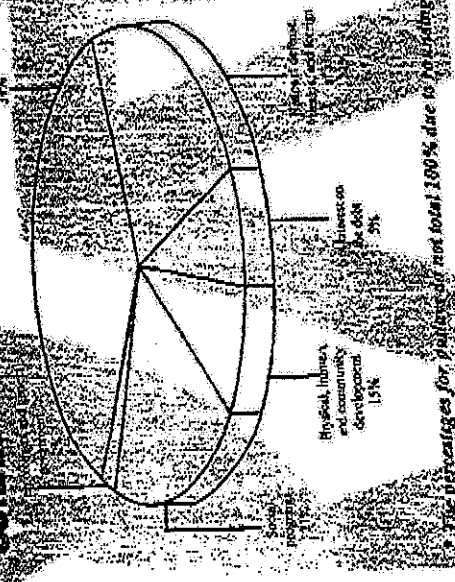
How are your tax dollars used to benefit the citizens of the United States? Which of these have you or your family used lately or will use in the future?

Income and Outlays: these pie charts show the relative size of the major categories of the federal income and outlays for fiscal year 2009

INCOME



OUTLAY



The percentages for outlays do not total 100% due to rounding.

KNOW THE LAW

There have always been individuals who argue taxes are illegal. They use false, misleading or unproven tax advice to gain followers. The courts have repeatedly rejected their arguments as frivolous and routinely impose penalties for raising such frivolous arguments. Make sure you "know the law."

The United States Constitution, Article I, Section 8, Clause 1 states, "The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises to pay the Debts and provide for the common Defense and general Welfare of the United States."

The Sixteenth Amendment to the Constitution, ratified on March 3, 1913, states, "The Congress shall have the power to lay and collect taxes on income, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Congress uses the power granted in the Constitution and Sixteenth Amendment and made laws requiring all individuals to pay tax.

Congress has delegated to the IRS the responsibility of administering the tax laws (known as the Internal Revenue Code (the Code) and found in Title 26 of the United States Code). Congress enacts the laws, and the IRS enforces them.

Sources of taxable income are identified in the Code under Section 61, Gross Income Defined. The list of sources under this section is not all inclusive.

Section 6702 of the Code authorizes the IRS to impose a \$5000 penalty against persons who submit frivolous tax returns or other documents.

DON'T FALL FOR THESE ARGUMENTS

While taxpayers have a right to contest their tax liabilities in the courts, taxpayers do not have the right to violate any federal tax laws. Unscrupulous individuals and promoters advocating willful noncompliance with the tax laws have used a variety of false, misleading arguments for not filing and paying taxes. Here are some of the most common arguments:

Constitutional Myths: Filing a Form 1040 violates the Fifth Amendment right against self-incrimination. The Fourth Amendment right against national searches. The Fifth Amendment right against involuntary servitude and First Amendment rights-based on religious beliefs.

Truth: The courts have consistently held that disclosure of the type of routine financial information required on a tax return does not incriminate an individual or violate the right to privacy. The courts have consistently found that the First and Thirteenth Amendments do not provide rights to refuse to comply with federal tax laws.

Internal Revenue Code Myths: The filing and paying of tax is voluntary, or the Code doesn't apply to me because I am neither a government employee nor a resident of a sovereign state.

Truth: The Code makes clear that only individuals whose income falls below a specified level do not have to file returns. While our tax system is based on self-assessment and reporting, compliance with tax laws is mandatory. States in which an individual's working and residing in the United States.

Frivolous Credit Myths: African and Native Americans can claim a special tax credit as reparations for slavery and other oppressive treatment.

Truth: There is no provision in the Code that allows taxpayers to claim reparations credits.

Compensation Myths: Wages, tips, and other compensation received for personal services are not taxable because there is no taxable gain. A person's exchange of labor for money.

Truth: This argument has been consistently discredited by the courts. Sources of taxable income are identified in the Code under Section 61. Income tax is specifically defined as the tax on all income, taxable income, specifically all income, is taxable under the Code. The list of taxable income is not a punitive.

Fictitious Legal Basis Myths: Taxpayers are entitled to file federal income tax returns based on the instructions and regulations associated with the form 1040. Taxpayers are not required to file a return if they are not a resident of the United States.

Truth: The courts have uniformly rejected this argument on different grounds. Some courts have simply noted that the PRA applies to the forms themselves, not to the instructions, booklets, and because the Form 1040 does not have a control number, there is no PRA violation.

Trusts Myths: Forming a business trust to hold your income and assets will avoid taxes. An family estate trust will allow you to reduce or eliminate your tax liability.

Truth: Establishing a trust to sign or domesticate for the sole purpose of avoiding your income and assets from taxation is illegal and will not absolve you of your tax liability.

APR-18-2014 11:17

IRS LANCASTER

7 207 4378 P.014

Form 668-A(ICS)
(Rev. July 2002)Department of the Treasury - Internal Revenue Service
Notice of Levy

DATE: 04/04/2014

REPLY TO: Internal Revenue Service
ZACHARY L. MCNICHOL
1720 HEMPSTEAD RD
P O BOX 10128
LANCASTER, PA 17605TELEPHONE NUMBER
OF IRS OFFICE: (717)207-4346NAME AND ADDRESS OF TAXPAYER:
SUMMERBEAM WOODWORKING INC
PO BOX 134
KIRKWOOD, PA 17536TO: COATESVILLE SAVINGS BANK
185 EAST LINCOLN HIGHWAY
COATESVILLE, PA 19320

IDENTIFYING NUMBER(S): 23-2750915

SUMM

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
941	12/31/2010	\$337.39	\$338.14	\$0.75
941	03/31/2011	\$5,724.25	\$1,592.01	\$7,316.26
			Total Amount Due	\$7,317.01

THIS LEVY WON'T ATTACH FUNDS IN IRAs, SELF-EMPLOYED INDIVIDUALS' RETIREMENT PLANS, OR ANY OTHER RETIREMENT PLANS IN YOUR POSSESSION OR CONTROL, UNLESS IT IS SIGNED IN THE BLOCK TO THE RIGHT. ➔

We figured the interest and late payment penalty to 05/04/2014

Although we have told you to pay the amount you owe, it is still not paid. This is your copy of a notice of levy we have sent to collect this unpaid amount. We will send other levies if we don't get enough with this one.

Banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the Internal Revenue Code must hold your money for 21 calendar days before sending it to us. They must include the interest you earn during that time. Anyone else we send a levy to must turn over your money, property, credits, etc. that they have (or are already obligated for) when they would have paid you.

If you decide to pay the amount you owe now, please bring a guaranteed payment (cash, cashier's check, certified check, or money order) to the nearest IRS office with this form, so we can tell the person who received this levy not to send us your money. Make checks and money orders payable to United States Treasury. If you mail your payment instead of bringing it to us, we may not have time to stop the person who received this levy from sending us your money.

If we have erroneously levied your bank account, we may reimburse you for the fees your bank charged you for handling the levy. You must file a claim with the IRS on Form 8548 within one year after the fees are charged.

If you have any questions, or want to arrange payment before other levies are issued, please call or write us. If you write to us, please include your telephone number and the best time to call.

Signature of Service Representative
/S/ ZACHARY L. MCNICHOLTitle
REVENUE OFFICER

Form 668-A(ICS) (7-2002)

Part 2 - For Taxpayer

NO (a) who qualifies

Excerpts from the Internal Revenue Code

Sec. 6331. LEVY AND DISTRRAINT.

(b) **Seizure and Sale of Property.**—The term "levy" as used in this title includes the power of distraint and seizure by any means. Except as otherwise provided in subsection (e), a levy shall extend only to property possessed and obligations existing at the time thereof, in any case in which the Secretary may levy upon property or rights to property, he may seize and sell such property or rights to property (whether real or personal, tangible or intangible).

(c) **Successive Seizures.**—Whenever any property or right to property upon which levy has been made by virtue of subsection (a) is not sufficient to satisfy the claim of the United States for which levy is made, the Secretary may, thereafter, and as often as may be necessary, proceed to levy in like manner upon any other property liable to levy of the person against whom such claim exists, until the amount due from him, together with all expenses, is fully paid.

Sec. 6332. SURRENDER OF PROPERTY SUBJECT TO LEVY.

(a) **Requirement.**—Except as otherwise provided in this section, any person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made shall, upon demand of the Secretary, surrender such property or rights (or discharge such obligation) to the Secretary, except such part of the property or rights as is, at the time of such demand, subject to an attachment or execution under any judicial process.

(b) Special rule for Life Insurance and Endowment Contracts.

(1) **In general.**—A levy on an organization with respect to a life insurance or endowment contract issued by such organization shall, without necessity for the surrender of the contract document, constitute a demand by the Secretary for payment of the amount described in paragraph (2) and the exercise of the right of the person against whom the tax is assessed to the advance of such amount. Such organization shall pay over such amount 90 days after service of notice of levy. Such notice shall include a certification by the Secretary that a copy of such notice has been mailed to the person against whom the tax is assessed at his last known address.

(2) **Satisfaction of levy.**—Such levy shall be deemed to be satisfied if such organization pays over to the Secretary the amount which the person against whom the tax is assessed could have advanced to him by such organization on the date prescribed in paragraph (1) for the satisfaction of such levy, increased by the amount of any advance (including contractual interest thereon) made to such person on or after the date such organization had actual notice or knowledge (within the meaning of section 6323 (j)(1)) of the existence of the lien with respect to which such levy is made, other than an advance (including contractual interest thereon) made automatically to maintain such contract in force under an agreement entered into before such organization had such notice or knowledge.

(3) **Enforcement proceedings.**—The satisfaction of a levy under paragraph (2) shall be without prejudice to any civil action for the enforcement of any lien imposed by this title with respect to such contract.

(c) **Special Rule for Banks.**—Any bank (as defined in section 408(n)) shall surrender (subject to an attachment or execution under judicial process) any deposits (including interest thereon) in such bank only after 21 days after service of levy.

(d) Enforcement of Levy.

(1) **Extent of personal liability.**—Any person who fails or refuses to surrender any property or rights to property, subject to levy, upon demand by the Secretary, shall be liable in his own person and estate to the United States in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of taxes for the collection of which such levy has been made, together with costs and interest on such sum at the underpayment rate established under section 6621 from the date of such levy (or, in the case of a levy described in section 6331 (d)(3), from the date such person would otherwise have been obligated to pay over such amounts to the taxpayer). Any amount (other than costs) recovered under this paragraph shall be credited against the tax liability for the collection of which such levy was made.

(2) **Penalty for violation.**—In addition to the personal liability imposed by paragraph (1), if any person required to surrender property or rights to property fails or refuses to surrender such property or rights to property without reasonable cause, such person shall be liable for a penalty equal to 50 percent of the amount recoverable under paragraph (1). No part of such penalty shall be credited against the tax liability for the collection of which such levy was made.

(e) **Effect of honoring levy.**—Any person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made who, upon demand by the Secretary, surrenders such property or rights to property (or discharges such obligation) to the Secretary (or who pays a liability under subsection (d)(1)), shall be discharged from any obligation or liability to the delinquent taxpayer and any other person with respect to such property or rights to property arising from such surrender or payment.

Sec. 6333. PRODUCTION OF BOOKS.

If a levy has been made or is about to be made on any property, or right to property, any person having custody or control of any books or records, containing evidence or statements relating to the property or right to property subject to levy, shall, upon demand of the Secretary, exhibit such books or records to the Secretary.

Sec. 6343. AUTHORITY TO RELEASE LEVY AND RETURN PROPERTY.

(a) Release of Levy and Notice of Release.

(1) **In general.**—Under regulations prescribed by the Secretary, the Secretary shall release the levy upon all, or part of, the property or rights to property levied upon and shall promptly notify the person upon whom such levy was made (if any) that such levy has been released if—

- (A) the liability for which such levy was made is satisfied or becomes unenforceable by reason of lapse of time,
- (B) release of such levy will facilitate the collection of such liability,
- (C) the taxpayer has entered into an agreement under section 6159 to satisfy such liability by means of installment payments, unless such agreement provides otherwise,
- (D) the Secretary has determined that such levy is creating an economic hardship due to the financial condition of the taxpayer, or
- (E) the fair market value of the property exceeds such liability and release of the levy on a part of such property could be made without hindering the collection of such liability.

For purposes of subparagraph (C), the Secretary is not required to release such levy if such release would jeopardize the secured creditor status of the Secretary.

(2) **Expedited determination on certain business property.**—In the case of any tangible personal property essential in carrying on the trade or business of the taxpayer, the Secretary shall provide for an expedited determination under paragraph (1) if levy on such tangible personal property would prevent the taxpayer from carrying on such trade or business.

(3) **Subsequent levy.**—The release of levy on any property under paragraph (1) shall not prevent any subsequent levy on such property.

(b) **Return of Property.**—If the Secretary determines that property has been wrongfully levied upon, it shall be lawful for the Secretary to return—

- (1) the specific property levied upon,
- (2) an amount of money equal to the amount of money levied upon, or
- (3) an amount of money equal to the amount of money received by the United States from a sale of such property.

Property may be returned at any time. An amount equal to the amount of money levied upon or received from such sale may be returned at any time before the expiration of 9 months from the date of such levy. For purposes of paragraph (3), if property is declared purchased by the United States at a sale pursuant to section 6333(a) (relating to manner and conditions of sale), the United States shall be treated as having received an amount of money equal to the minimum price determined pursuant to such section or (if larger) the amount received by the United States from the resale of such property.

(d) Return of Property in Certain Cases.

- (1) any property has been levied upon, and
- (2) the Secretary determines that—
 - (A) the levy on such property was premature or otherwise not in accordance with administrative procedures of the Secretary,
 - (B) the taxpayer has entered into an agreement under section 6159 to satisfy the tax liability for which the levy was imposed by means of installment payments, unless such agreement provides otherwise,
 - (C) the return of such property will facilitate the collection of the tax liability, or
 - (D) with the consent of the taxpayer or the National Taxpayer Advocate, the return of such property would be in the best interests of the taxpayer (as determined by the National Taxpayer Advocate) and the United States.

the provisions of subsection (b) shall apply in the same manner as if such property had been wrongfully levied upon, except that no interest shall be allowed under subsection (c).

Applicable Sections of Internal Revenue Code

- 6321. LIEN FOR TAXES.
- 6322. PERIOD OF LIEN.
- 6325. RELEASE OF LIEN OR DISCHARGE OF PROPERTY.
- 6331. LEVY AND DISTRRAINT.
- 6332. SURRENDER OF PROPERTY SUBJECT TO LEVY.
- 6333. PRODUCTION OF BOOKS.
- 6334. PROPERTY EXEMPT FROM LEVY.
- 6343. AUTHORITY TO RELEASE LEVY AND RETURN PROPERTY.
- 7426. CIVIL ACTIONS BY PERSONS OTHER THAN TAXPAYERS.
- 7429. REVIEW OF JEOPARDY LEVY OR ASSESSMENT PROCEDURES.

For more information about this notice, please call the phone number on the front of this form.

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